

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MELVIN A MORRISS III, an individual;

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a Delaware
corporation;

Defendant.

8:13CV24

MEMORANDUM AND ORDER

IT IS ORDERED:

- 1) The plaintiff's motion to continue, (Filing No. 78), is granted.
- 2) On or before April 11, 2014, the plaintiff shall file his anticipated motion to compel. Defendant's response to the motion to compel shall be filed on or before April 22, 2014. No reply shall be filed absent leave of the court for good cause shown.
- 3) The summary judgment and *Daubert* motion deadlines, and the trial and pretrial conference dates, are continued pending further order of the court.
- 4) A telephonic hearing will be held on the record before the undersigned magistrate judge on April 29, 2014 at 11:00 a.m. to discuss the motion to compel, further case progression deadlines and the new trial and pretrial conference dates, and potential settlement.¹ The court will provide conferencing information for participation in the call.

April 6, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

¹To facilitate setting a new progression schedule, if the parties consent to final disposition of the case by the undersigned magistrate judge, on or before April 25, 2014, they shall complete the "CONSENT TO REASSIGNMENT TO MAGISTRATE JUDGE" located on the court's website at <http://www.ned.uscourts.gov/forms/>. After all parties have signed this form, e-mail it in PDF format to clerk@ned.uscourts.gov. Do not electronically file this form or submit it to chambers.

In advance of the hearing, the parties shall also consider and discuss whether they want to schedule a settlement conference before the undersigned magistrate judge, keeping in mind that a magistrate judge cannot preside over both a settlement conference and the final disposition of the case.